



# St Brigid's School

## Policy Document

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# Responding to Bullying and Harassment in the Workplace Policy

## 1. Purpose

St. Brigid's School is committed to providing its Workers with a safe work environment that is free from inappropriate behaviour and will take all reasonable steps to minimize any form of workplace bullying or harassment and to treat all people with equity and dignity. It is in this context that the bullying of any person is not tolerated.







St Brigid's acknowledges that Workers may experience bullying and harassment by people who are and who are not CESA employees.

## 2 Scope

This policy applies to St Brigid's School, Kilburn.

## 3. Policy

The school is committed to:

-  creating a positive workplace culture where staff have opportunities to raise concerns
-  facilitating improved communication amongst staff
-  providing bullying and harassment training for leaders and employees
-  displaying the Bullying and Harassment Response Flowchart (see Appendix 1) in a prominent, easily accessible location
-  monitoring the workplace for indications of workplace bullying and harassment, including data collection to identify any existing workplace bullying or harassment
-  encouraging a greater awareness of and sensitivity to the effects of bullying or harassing behaviour on others

- 🏛️ providing prompt assistance and support to employees who raise concerns regarding bullying or harassment.

## 4. Definitions

**Bullying:** is one form of harassment and has been defined thus; workplace bullying is repeated, unreasonable behaviour directed towards a Worker or a group of Workers, that creates a risk to health and safety.

**Repeated behaviour** refers to the persistent nature of the behaviour and can refer to a range of behaviours over time

**Unreasonable behaviour** means behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining and threatening

**Risk to health and safety** includes risk to the psychological or physical health of the person(s) in the workplace.

**Workplace harassment:** for the purpose of this procedure, is used to define any verbal, written or physical behaviour or conduct that is of an offensive, threatening, intimidating, abusive or belittling nature and that is unwelcome, unreciprocated, uninvited and usually, but not always, repeated which occurs to a Worker. For example; it may include comments or actions concerning a person's race, colour, language, ethnic origin, religion, political beliefs, gender, sexual preference, pregnancy, marital status, age, appearance, disability or impairment.

In most cases, for behaviour or conduct to amount to workplace harassment, it must meet one of the following two criteria:

- 🏛️ the Worker must have acted in a manner that would cause a reasonable person to feel harassed, having regard to all of the circumstances; or
- 🏛️ the Worker, having been made aware that their behaviour or conduct was reasonably perceived as harassment by the person towards whom it was directed, and the behaviour or conduct was subsequently repeated.

**Sexual harassment** is one form of workplace harassment is where the harassment is sexual harassment the Worker must have engaged in unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Sexual harassment is more fully defined in section 28A of the Sex Discrimination Act 1984 (Cth.)

**Workers** mean all employees and volunteers together with those third parties who agree to be bound by these procedures.

**Workplace bullying and harassment** need not involve physical ill treatment, such as punching, kicking or other ways of inflicting physical pain. Most cases of harassment or bullying involve non-contact conduct such as less favourable treatment or verbal abuse, threats, sarcasm, ostracism or sabotage of a person's work.

**Bullying can be obvious and aggressive. Examples could include:**

- abusive, insulting or offensive language
- behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling and screaming;
- teasing or regularly making someone the brunt of practical jokes
- displaying material that is degrading or offending
- spreading gossip, rumours and innuendo of a malicious nature.

**Violence, assault and stalking are extreme forms of bullying that constitute a criminal offence. Such behaviour should be reported directly to the police.**









**Examples include, but are not limited to:**

- harmful or offensive initiation practices
- physical assault or unlawful threats




**Workplace bullying and harassment can also be subtle and could include behaviour such as:**

- deliberately excluding, isolating or marginalising a person from normal workplace activities
- intruding on a person's space by pestering or spying
- intimidating a person through inappropriate personal comments, belittling opinions or unjustified criticism.






Workplace bullying and harassment can be covert behaviour that undermines, treats less favourably or disempowers others, for example:

-  overloading a person with work
-  refraining from passing on work
-  setting expectations that are unreasonable
-  setting tasks that are unreasonably beyond a person's ability
-  ignoring or isolating a person
-  deliberately denying access to information, consultation or resources
-  unfair treatment in relation to accessing workplace entitlements, such as leave or training
-  Please note that the behaviour must be repeated behaviour





Covert bullying behaviour may also include:

-  constantly checking the person's work or whereabouts to a much greater extent than with others of the same seniority
-  sabotaging the person's work, such as by hiding resources, not passing on messages, changing information and in other ways that undermine the person and/or their work
-  bullying and harassment can occur electronically, such as over the internet, social networking sites, information displayed on web pages, emails, and in SMS (text messages).

Bullying does not include:

-  reasonable action taken in a reasonable manner by an employer to monitor, transfer, demote, discipline, counsel, retrench or dismiss an employee;
-  a decision by an employer, based on reasonable grounds, not to award or provide a promotion, transfer, or benefit in connection with an employee's employment;
-  reasonable administrative action taken in a reasonable manner by an employer in connection with an employee's employment;
-  reasonable action taken in a reasonable manner under an Act affecting an employee;
-  reasonable action by the employer to monitor electronic communication.

**Employer Representative means:**

-  the Principal of that school where the complaint involves a Worker on a school site;
-  the Director of Catholic Education where the complaint involves the Principal of a Diocesan school;
-  the person appointed by the relevant employing authority where the complaint involves a Principal of Another Catholic School;
-  the relevant Assistant Director where the complaint involves a CEO employee.

**Diocesan school** means a school owned and operated by the Archdiocese of Adelaide or the Diocese of Port Pirie.

**Another Catholic School** means a Catholic school owned and governed by an authority other than the Archdiocese of Adelaide and Diocese of Port Pirie.

**Repeated** refers to the persistent or ongoing nature of the behaviour and can refer to a range of different types of behaviour over time.

**Risk to health and safety** includes risk to the emotional, mental or physical health of the person(s) in the workplace.

**Workers** mean all employees and volunteers together with those third parties who agree to be bound by these procedures.

**Complainant** means the person raising a concern that they are subject to bullying or harassment in the workplace.

**Contact Officers** means a staff member, specifically trained and designated to provide information to staff with regard to workplace rights, obligations and options in responding to bullying or harassment issues

**CEO** means either or both of the Adelaide and Port Pirie Catholic Education Offices, as the context permits.

**CESA** means Catholic Education SA, including any School or CEO, as the context may permit.


**Staff** employees of St Brigid's school.

**Parent/caregivers**- The parent, guardian or caregiver of a student (singular or plural).

**Students** – children that attend St Brigid's school.

## 5. Supporting Procedures or Policy Support Documents

This Policy is to be read in conjunction with and is additional to, any relevant South Australian Commission for Catholic Schools (SACCS), school or CESA policy, procedure or support document. All Staff are required to comply with the provisions of any such documents, including the following:

 St Brigid's Responding to Bullying and Harassment in the Workplace Procedure

 CESA Code of Conduct for Staff

 Fair Work Act

<http://www.fwc.gov.au/index.cfm?pagename=legislationfwact>

 Stop Bullying in SA:

<http://www.stopbullyingsa.com.au/>

 Preventing Workplace Bullying: A Practical Guide for Employers

[http://www.stopbullyingsa.com.au/documents/bullying\\_employers.pdf](http://www.stopbullyingsa.com.au/documents/bullying_employers.pdf)


 Dealing With Workplace Bullying: A Practical Guide for Employees;

[http://www.stopbullyingsa.com.au/documents/bullying\\_employees.pdf](http://www.stopbullyingsa.com.au/documents/bullying_employees.pdf)

 Work Health and Safety Act 2012 (SA)

 SafeWork SA 1300 365 255

<http://www.safework.sa.gov.au/>

 Related policies, procedures and support documents of the South Australian Commission for Catholic Schools as listed below and as amended from time to time. Policies and procedures on this link include:

- Code of Conduct,
- Procedures for Responding to Discrimination
- Policy for Responding to Concerns , Complaints, Grievances and Allegations of Misconduct
- Procedures for Resolving Informal Complaints between Workplace Participants
- Procedures for Dealing with Allegations of Misconduct

<http://online.cesamet.adl.catholic.edu.au/docushare/dsweb/View/Collection-360>

 Assistant Director, People and Culture, Catholic Education Office, Ph. 8301 6860

 Principal Consultants, Catholic Education Office, Ph. 8301 6885

 Catholic Safety, Health and Welfare SA Consultants, Ph. 8210 9342.

 IEU (SA) Ph. 8410 0122

<http://www.ieusa.org.au/>

 Fair Work Commission

<http://www.fwc.gov.au/>

 Equal Opportunity Commission, Ph. 8207 1977

<http://www.eoc.sa.gov.au/site/home.jsp>

 Office of the Employee Ombudsman, Ph. 8207 1970

[www.employeeombudsman.sa.gov.au](http://www.employeeombudsman.sa.gov.au)

 ACCESS Ph. 1300 667 700

[www.accesssa.com.au](http://www.accesssa.com.au)

 Stop Bullying in SA website

<http://stopbullyingsa.com.au/default.asp>

## 6. Resources

- Policy for the Care, Wellbeing and Protection of Children and Young People (SACCS 2011)

[http://www.cesa.catholic.edu.au/\\_files/f/2626/Care Wellbeing and Protection of Young People.pdf](http://www.cesa.catholic.edu.au/_files/f/2626/Care_Wellbeing_and_Protection_of_Young_People.pdf)



Responsibility for implementation, monitoring and review of the policy is vested at the level appropriate to the following roles:



*Shannon Correll*  
Principal



*Asmara Omar*  
School Board Chairperson

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